

U.S. Patent Application No.: 09/964,240  
AMENDMENT C

ATTORNEY DOCKET NO.: 3974.002

REMARKS

The pending claims are 3, 4, 7, 8, 11, 12, 17, 18 and 20-30.

The allowance of claims 7, 8, 11, 12, 20, 21, 23-28 and 30 is gratefully acknowledged.

Claim 22 is amended herein. The amendment is supported by, for example, claim 20. Care has been taken to ensure that no new matter is added, and entry of the amendment is requested.

A Terminal Disclaimer believed to be in compliance with 37 C.F.R. § 1.321(c) is submitted herewith.

In view of the amendment to claim 22, the Terminal Disclaimer and the following remarks, reconsideration is respectfully requested.

Two rejections remain:

I. Claim Rejection under 35 U.S.C. § 112, Second Paragraph

Claim 22 is rejected as being indefinite on the grounds that the recitation of "the supernatant" in step (d) allegedly lacks antecedent basis.

Claim 22 is amended herein to replace "the supernatant" with "the aqueous solution of step (c)". The amendment is supported by claim 20, which provides antecedent basis.

Applicants respectfully assert that claim 22 as amended is not indefinite, and request withdrawal of the rejection.

U.S. Patent Application No.: 09/964,240  
AMENDMENT C

ATTORNEY DOCKET NO.: 3974.002

**II. Double Patenting Rejection**

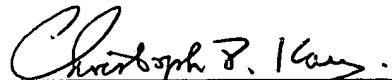
Claims 3, 4, 17, 18 and 29 are rejected for obviousness-type double patenting as being allegedly unpatentable over claims 1, 2, 5, 7, and 8 of U.S. Patent No. 6,703,053.

Applicant submits herewith a terminal disclaimer believed to be in compliance with 37 C.F.R. § 1.321(c).

Withdrawal of the rejection is requested.

As there are no further rejections or objections, favorable consideration and early issuance of a Notice of Allowance are respectfully requested. Should further issues remain that the Examiner believes may be addressed by telephone, the Examiner is respectfully requested to contact the undersigned at the telephone number below.

Respectfully submitted,



Christopher J. Kay  
Registration No. 44,820

PENDORF & CUTLIFF  
5111 Memorial Highway  
Tampa, FL 33634-7356  
(813) 886-6085

Date: June 16, 2004

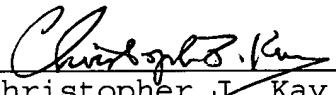
U.S. Patent Application No.: 09/964,240  
AMENDMENT C

ATTORNEY DOCKET NO.: 3974.002

**CERTIFICATE OF MAILING AND AUTHORIZATION TO CHARGE**

I hereby certify that the foregoing AMENDMENT C for U.S. Application No. 09/964,240 filed September 26, 2001, was deposited in first class U.S. mail, postage prepaid, addressed: Attn: Mail Stop Amendment, Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria VA 22313-1450, on **JUNE 16, 2004**.

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application, except for the issue fee, without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.



Christopher J. Kay